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MAY 01 2006

Application No.: 09/674,052

Inventor(s): Ludwig Busam et al.

Filed: October 25, 2000

Docket No.: CM1778Q

Confirmation No.: 9275

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- 1) Response to Notification of Non-Compliant Appeal Brief dated March 31, 2006 – 4 pages
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/674,052
Inventor(s) : Ludwig Busam et al.
Filed : October 25, 2000
Art Unit : 3761
Examiner : Michele M. Kidwell
Docket No. : CM1778Q
Confirmation No. : 9275
Customer No. : 27752
Title : Apertured Laminate Web

Response to Notification of Non-Compliant Appeal Brief dated March 31, 2006

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY REMARKS

In response to the Notification of Non-Compliant Appeal Brief dated March 31, 2006, please consider the following amended "Summary of Claimed Subject Matter" section and remarks.

Amendments to "Summary of Claimed Subject Matter" section begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

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Atty. Docket No. CM1778Q
Amtd. dated May 1, 2006
Reply to Office Action of March 31, 2006
Customer No. 27752

AMENDMENTS TO THE SUMMARY OF THE CLAIMED SUBJECT MATTER

Please replace the "Summary of The Claimed Subject Matter" section found in the Appeal Brief filed on January 17, 2006, with the following rewritten section:

SUMMARY OF THE CLAIMED SUBJECT MATTER

The present invention pertains to an apertured laminate web suitable for use as a topsheet in a disposable absorbent article. Claim 1 pertains to the laminate web (item 40, Figures 1 and 2; item 60, Figure 3; item 140, Figure 4; item 240, Figures 5 and 6) comprising a liquid pervious first material (item 42, Figures 1 and 2; item 62, Figure 3; item 142, Figure 4; item 242, Figures 5 and 6; item 442, Figure 7) and a liquid pervious second material (item 44, Figures 1 and 2; item 64, Figure 3; item 144, Figure 4; item 244, Figures 5 and 6; item 444, Figure 7) attached to the first material. (page 9, lines 8-10). The first material has a plurality of apertures (item 46, Figures 1 and 2) with an effective size of at least 0.2 square millimeters, and the first material has an effective open area of at least about 10 percent. (page 9, lines 26-36).

The second material has a plurality of apertures (item 48, Figure 2) with an effective size of at least 0.2 square millimeters, and the second material has an effective open area of at least about 10 percent. (page 12, lines 25-36; page 13, lines 3-8). The plurality of apertures of the second material are aligned with the apertures of the first material. (page 13, lines 14-17). Additionally, the second material has a hydrophilicity which is greater than the hydrophilicity of the first material. (page 13, lines 18-19).

A plurality of fibers of the first material and a plurality of fibers of the second material are substantially fused together about the apertures. (page 15, lines 13-17). Additionally, the second material has a bonded area which is greater than a bonded area of the first material. (page 14, lines 22-25).

Claim 10 depends from claim 1 and pertains to the laminate web described above, wherein the first material has a first width and the second material has a second width. As recited in part, in claim 10, the second width is greater than the first width. (page 13, lines 27-32).

Claim 12 depends from claim 11 which depends from claim 1 and pertains to a disposable absorbent article. The disposable absorbent article comprises the liquid

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pervious topsheet (item 24, Figures 1 and 2; item 124, Figure 4) comprising the laminate web according to claim 1. (page 6, lines 10-11; page 9, lines 8-9). The disposable absorbent article further comprises a backsheet (item 26, Figure 1) and an absorbent core (item 28, Figure 1) positioned between the topsheet and the backsheet. (page 6, lines 10-13).

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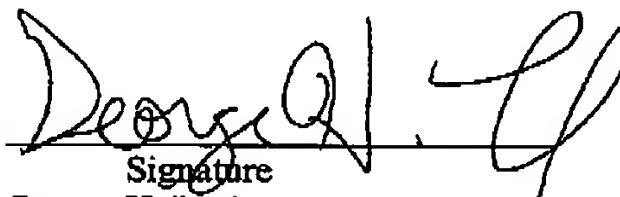
REMARKS

In response to the Notification of Non-Compliant Appeal Brief dated March 31, 2006, Applicant has amended the "Summary of The Claimed Subject Matter" section previously found in the Appeal Brief filed on January 17, 2006.

Applicant reminds the Office that "[w]hen the Office holds the brief to be defective solely due to appellant's failure to provide a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v), an entire new brief need not, and should not, be filed. Rather, a paper providing a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v) will suffice." (Emphasis added, see MPEP 1205.03 (B))

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY

By 
Signature
George H. Leal
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Date: May 1, 2006
Customer No. 27752

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